

MINUTES
KANSAS BOARD OF VETERINARY EXAMINERS
Thursday, August 23, 2012 at Manhattan, Kansas

Board President Dr. Olson called this meeting of the Kansas Board of Veterinary Examiners to order at 10:00am. Board Members in attendance in addition to Dr. Olson were Drs. Kobuszewski, Norton, Bogue, Carlson, and Ms. Manderick. Dr. Painter was in attendance by telephone. Also present were agency staff Dirk Hanson, Cheryl Mermis, and Larry O'Hara, as well as Board General Counsel Athena Andaya.

President Olson recognized and welcomed those in attendance.

The following motion was made by Carlson and seconded by Bogue: I move that the Board recess into executive session for consultation with our legal counsel, Athena Andaya, Deputy Attorney General, on a legal matter protected by the attorney-client privilege in order to protect the privilege and the KBVE's position regarding its response to an audit conducted on the KBVE. In addition, since we may require Dr. Dirk Hanson, Executive Director of the KBVE, Larry O'Hara, Inspector/Investigator for the KBVE, and/or Cheryl Mermis, Administrative Officer to aid the Board in their discussions, I move the individuals be admitted to the executive session, upon the Board's request. The Board will reconvene the open meeting in this same location in this same location for 60 minutes at 11:02 a.m. The motion passed on a voice vote with no dissenting votes.

At 11:02am, the Board reconvened.

The following motion was then made by Carlson and seconded by Bogue: I move that the Board recess into executive session for consultation with our legal counsel, Athena Andaya, Deputy Attorney General, on a legal matter protected by the attorney-client privilege in order to protect the privilege and the KBVE's position regarding its response to an audit conducted on the KBVE. In addition, since we may require Dr. Dirk Hanson, Executive Director of the KBVE, Larry O'Hara, Inspector/Investigator for the KBVE, and/or Cheryl Mermis, Administrative Officer to aid the Board in their discussions, I move the individuals be admitted to the executive session, upon the Board's request. The Board will reconvene the open meeting in this same location in 60 minutes at 12:02 p.m. The motion passed on a voice vote with no dissenting votes.

At 12:02pm, the Board reconvened.

The following motion was then made by Carlson and seconded by Bogue: I move that the Board recess into executive session for consultation with our legal counsel, Athena Andaya, Deputy Attorney General, on a legal matter protected by the attorney-client privilege in order to protect the privilege and the KBVE's position regarding its response to an audit conducted on the KBVE. In addition, since we may require Dr. Dirk Hanson, Executive Director of the KBVE, Larry O'Hara, Inspector/Investigator for the KBVE, and/or Cheryl Mermis, Administrative Officer to aid the Board in their discussions, I move the individuals be admitted to the executive session, upon the Board's request. The Board will reconvene the open meeting in this same location in 18 minutes at 12:20 p.m. The motion passed on a voice vote with no dissenting votes.

At 12:20pm, the Board reconvened. The meeting recessed for lunch at this point.

45 Following lunch, the Board meeting reconvened.

46 After reviewing the proposed agenda for the rest of this meeting, Olson recommended agenda item L be
47 moved to the first item, and agenda item A be moved to follow agenda items C through G. A motion by
48 Carlson, seconded by Norton to adopt the meeting agenda as proposed by Olson passed on a voice vote
49 with no dissenting votes.

50 A public forum for non-agenda items was offered. No member of the public had requested to appear,
51 and no member of the public was present asking to appear during this public forum.

52 Olson asked Bogue if he would accept nomination as Vice-President. Upon Bogue's response he would
53 accept nomination, the Board elected him as Vice-President.

54 A motion made by Norton and seconded by Manderick to approve the minutes of the previous meeting
55 passed on a voice vote with no dissenting votes.

56 The Board next reviewed a proposed agency policy on cash payment. A motion by Bogue seconded by
57 Kobuszewski to adopt a policy of not accepting renewal fee or other payments to the agency in the form
58 of cash passed on a voice vote with no dissenting votes.

59 The Board next discussed implementation of a risk-based approach to scheduling inspections. A motion
60 by Bogue, seconded by Manderick that the Board implement a risk-based approach to scheduling
61 inspections passed on a voice vote with no dissenting votes.

62 The Board next discussed implementation of unannounced inspections of registered premises. Carlson
63 made, and Bogue seconded a motion that the Board implement unannounced inspections.

64 As a related matter, the Board reviewed a revised version of the inspection form. Carlson made, and
65 Norton seconded a motion that the Board implement use of the revised inspection form.

66 Bogue made, and Carlson seconded a motion that the agency staff develops a written manual
67 documenting the existing policies and procedures of the agency's operations.

68 A motion made by Manderick and seconded by Norton that all Board members and the Executive
69 Director sign a response letter to the agency audit passed on a voice vote with no dissenting votes.

70 The Board next heard a report regarding agency expenditures for fiscal year '12, and the upcoming
71 agency budget request to be submitted September 15, 2012 for fiscal years '14 and '15. The consensus
72 of the Board was that the agency Director is to proceed with preparation and submission of an agency
73 budget request based on projections of revenues that will be level and expenditures that will be
74 increased by \$15k in FY '13 '14, and '15 for salary increases. Further, the Board authorized the DOB
75 Analyst be invited to the November meeting of the Board.

76 The Board next reviewed a request for clarification of the use of the word "associate" in KAR 70-7-
77 1(n)(1)and (2). The Board directed General Counsel to draft language that the Director could send as a
78 written response to the request.

79 The Board next heard a report from Bogue, Manderick, and Kobuszewski, who are members of the Non-
80 Veterinarian Practitioner Task Force regarding a recent visit they had made to an entity that teaches
81 animal chiropractic. Following discussion, the consensus of the Board was to continue efforts to seek
82 passage of NVP legislation.

83 The Board next heard from General Counsel as to the ownership of veterinary practices being legally
84 restricted to veterinarians. Ms. Andaya shared with the Board her findings from review of the
85 professional corporations act. The Board directed Counsel to seek more information, and revisit this
86 agenda item during the September meeting.

87 Board members then considered dates for upcoming meetings. The next meetings of the Board will be
88 on Friday, September 28 with some present in Great Bend and others present by conference call; Friday,
89 November 30 in Wamego or Manhattan; Wednesday, January 30, 2013 at the Capitol; Friday, March 29,
90 2013 in Wamego or Manhattan, Sunday June 2, 2013 in Manhattan, Friday, July 26, 2013 in Wamego or
91 Manhattan; and Thursday, September 19, 2013 in Kansas City.

92 The Board members next heard a report of currently ongoing complaint cases, recently completed
93 cases, and recently received feedback.

94 Having no other business before the Board, Norton made, and Bogue seconded a motion to adjourn.
95 The motion passed on a voice vote with no dissenting votes. The meeting adjourned at 2:45.

96 Signed: _____